



# City of Johnson City Tennessee

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## **BOARD OF ZONING APPEALS CITY OF JOHNSON CITY, TENNESSEE**

Minutes of the Meeting of  
September 11, 2012

The Board of Zoning Appeals held its regular meeting on September 11<sup>th</sup> at 9:00 a.m. in the City Commission Chambers of the Municipal and Safety Building.

### **Members Present**

Jeff Benedict, Vice-Chairman  
Dwight Harrell  
Jamie Povlich  
Tim O'Neill, Chairman

### **Staff Present**

Jessica Harmon, Planner  
Steve Neilson, Development Coordinator  
Tim Seaton, Construction Inspector

Mr. O'Neill called the meeting to order.

The Minutes of the August 14, 2012 meeting were considered for approval.

**MOTION: Povlich                      To approve the minutes of the August 14, 2012 meeting.**

**SECOND: Harrell**

**VOTE: Approved 4-0.**

### **Case No. 761-1**

Mr. Neilson indicated that this was a special exception to allow security housing at property located at 690 Woodlyn Road. The property is located within an I-2, Heavy Industrial District. The property is located in a remote area of the city and the business owner indicated that this property will be used to storage classic cars, equipment and materials and he had security concerns. He would like to convert a portion of a 4,000 square foot warehouse into an apartment. Mr. Neilson indicated that the petitioner met the conditions for a special exception and recommended approval of the request.

The petitioner Mr. Barrick answered questions and spoke in favor of the request.

**MOTION: Benedict                      To approve the special exception request to allow security housing at 690 Woodlyn Road.**

**SECOND: Povlich**

**VOTE: Approved 4-0.**

**Case No. 761-2**

Mr. Neilson indicated that this was a request at 106 W. Maple Street for a variance to the front yard setback from 20 feet to 13.4 feet and from the side yard setback from 10 feet to 4 feet in order to demolish an existing structure and rebuild it in the same footprint. The property is zoned R-2, Low Density Residential District. He stated that the existing lot of record was only 32.5 wide. Without as variance, the petitioner would only be able to build a structure 12 wide. Also all the homes in the area are setback the same distance and the proposed variance would allow the petitioner to keep the structure in line with the other homes. Mr. Neilson indicated that due to the narrowness of the lot, this request met the conditions for a variance and recommended approval of this request.

Mr. Campbell spoke in favor of the request.

Mr. Benedict indicated that due to the narrowness of the lots and that the request was in keeping with existing conditions in the neighborhood, he moved to approve this request.

**MOTION: Benedict To approve each of the variance requests.**

**SECOND: Harrell**

**VOTE: Approved 4-0.**

**Case No. 761-3**

Mr. Neilson indicated that this was a request for a variance to the rear yard setback from 30 feet to 14.5 feet for property located at 1127 East Main Street. The property is zoned R-4, Medium Density Residential District. The purpose of the request was to put a duplex on the property. Mr. Neilson stated that he had not received any comments for the adjoining property owners. He also indicated that the parcel was flat and met the minimum lot requirements of the district. There was nothing unique about the property and that this was a self-recreated hardship. He then recommended denial of the request.

Scott Henley of Eastern Eight Development spoke in favor of the request. He indicated that the reason of the request he wanted to set the house back from the street. He indicated that the footprint was about the same as what was there before,

Mr. Povlich asked if there were any plans to improve E. Main Street. Mr. Neilson indicated at some point the city would be improving the street and would require additional right-of-way.

Mr. Henley requested that the variance be amended to 12 feet due to an overhang proposed on the structure.

Mr. Povlich states that based on characteristics of the existing neighborhood where many of the setbacks have been encroached upon and the planned improvements for E. Main Street, he moved to approve the variance request.

**MOTION: Povlich    To approve this variance request from 30 feet to 12 feet.**

**SECOND: Harrell**

**VOTE: Approved 4-0.**

There being no further business, the meeting adjourned at 9:38 a.m.

**APPROVED:**

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Tim O'Neill, Chairman  
Board of Zoning Appeals